

1 JOHN P. SCHLEGELMILCH, ESQ.  
2 Nevada State Bar # 4379  
3 30 Broadway Ave.  
Yerington, NV 89447  
3 (775) 463-3371 (Ph)  
(775) 463-3373 (Fx)

NOV 20 2006

6 IN THE UNITED STATES DISTRICT COURT

7 FOR THE DISTRICT OF NEVADA

8 UNITED STATES OF AMERICA, )  
9 Plaintiff, )  
10 WALKER RIVER PAIUTE TRIBE, ) IN EQUITY NO. C-125-ECR  
11 Plaintiff-Intervenor, )  
12 vs. )  
13 WALKER RIVER IRRIGATION DISTRICT, )  
a Corporation, et. al., )  
14 Defendants. )  
15 \_\_\_\_\_ )

16 **NOTICE OF CHANGE OF OWNERSHIP OF WATER RIGHT**

17 COMES NOW, Defendant Water Right Holders, WILLIAM S. RAUBER and PATRICIA  
18 A. INLOW, Trustees of the WILLIAM S. RAUBER AND PATRICIA A. INLOW TRUST, by and  
19 through the Law Offices of John P. Schlegelmilch, Ltd., and John P. Schlegelmilch, Esq., and hereby  
20 notifies the Court and the United States that the Defendant herein has previously conveyed  
21 ownership of a portion of a water right within one or more of the categories set forth in paragraph  
22 3 of the Case Management Order and provides thereto the following information:

23 1. The name and address of the party or parties who sold or otherwise conveyed  
24 ownership:

25 Name: William S. & Charlotte F. Rauber Trust (Predecessor in interest)

26 Address: 20 Bum Steer Road, Yerington, Nevada 89447

1           2. The name and address of the person whom acquired ownership is:

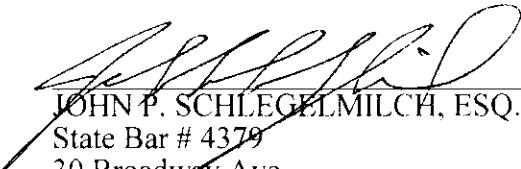
2           Name:       Sam Ross

3           Address:     421 Silver Star Court, Yerington, Nevada 89447

4           3. Attached to this notice is a copy of the Affidavit of Withdrawal of Water Right in  
5 Favor of Use of Water for Domestic Wells Created by Subdivision or Parceling of Land, by which  
6 the transfer of Ownership of 2.02 a.f.a. of Permit 47013, Certificate 13368, was accomplished.  
7 (Exhibit A).

8           DATED THIS 17<sup>th</sup> day of November, 2006.

9           LAW OFFICES OF  
10          JOHN P. SCHLEGELMILCH, LTD.

11            
12          JOHN P. SCHLEGELMILCH, ESQ.  
13          State Bar # 4379  
14          30 Broadway Ave.  
15          Yerington, NV 89447

1                           **CERTIFICATE OF SERVICE**

2                           Pursuant to NRCP 5(b), I hereby certify that I am an employee of the Law Offices of John  
3 P. Schlegelmilch, Ltd. and that on this date I caused the NOTICE OF CHANGE OF OWNERSHIP  
4 OF WATER RIGHT to be delivered to all parties to this action by:

5       XXXX     placing a true copy thereof in a sealed, stamped envelope, with the United States Postal  
6 Service at Yerington, Nevada

7       \_\_\_\_ personal delivery

8       \_\_\_\_ Facsimile (FAX)

9       \_\_\_\_ Federal express or other overnight delivery

10                          addressed to the following:

11                          Susan Schneider, Esq.  
12                          U.S. Dept. of Justice  
13                          Environment & Natural Resources Div.  
14                          P.O. Box 756  
15                          Littleton, CO 80160  
16                          Attorney for United States of America

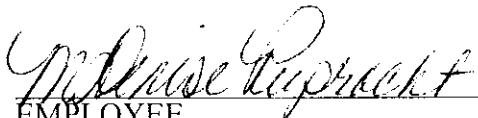
17                          Marta Adams, Esq.  
18                          100 N. Carson St.  
19                          Carson City, NV 89701  
20                          Attorney for State of Nevada

21                          Wes Williams, Jr., Esq.  
22                          Law Offices of Wes Williams, Jr.  
23                          P.O. Box 100  
24                          Schurz, NV 89427  
25                          Attorney for Walker River Paiute Tribe

26                          Michael W. Neville, Esq.  
27                          Deputy Attorney General  
28                          California Attorney General Office  
29                          455 Golden Gate Ave., Ste 11000  
30                          San Francisco, CA 94102-3664  
31                          Attorney for State of California

32                          Gordon DePaoli, Esq.  
33                          Woodburn & Wedge  
34                          P.O. Box 2311  
35                          Reno, NV 89505-2790  
36                          Attorney for Walker River Irrigation District

37                          DATED this 17<sup>th</sup> day of November, 2006.

  
EMPLOYEE

Law Offices of John P. Schlegelmilch, Ltd.

*Law Offices of John P. Schlegelmilch, Ltd.*

*A Professional Law Corporation*

*30 Broadway Avenue*

*Yerington, Nevada 89447*

*Ph: (775) 463-3371*

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**EXHIBIT A**

OFFICE OF THE STATE ENGINEER

REGARDING [PERMIT/CERTIFICATE] NUMBER: 47013/13368 (cert)

AFFIDAVIT OF WITHDRAWAL OF WATER RIGHT IN FAVOR OF  
USE OF WATER FOR DOMESTIC WELLS CREATED  
BY SUBDIVISION OR PARCELING OF LAND

State of Nevada

ss

County of Lyon

I, William S. & Charlotte F.,  
base right holder do hereby swear under penalty of perjury  
that the assertions of this affidavit are true.  
Rauber Trust

1. I am the owner -of-record of all /a portion of 47013/13368 (cert)  
(circle one) permit number, certificate number  
as indicated in the records of the Nevada State Engineer.

2. I hereby withdraw an amount of water equivalent to:  
2.02 a.f.s.  
water consumed or taken from the stream or body of water equal to the sum of 2.02 a.f.s. or 1,800 g.p.s. for each proposed individual or  
acre feet annually from the water appropriated under 47013/13368 (cert)  
permit number, certificate number or decreased right.

The water right or portion of water right withdrawn was appurtenant to the land more particularly described as follows: NE 1/4 SW 1/4 of Section 13, Township 12 North  
Describe land drying up; describe with quarter sections, section,

Range 25 East, M.D.M.  
township, range, M.D.M. and section or quarter section numbers

3. This withdrawal of the water right or portion of the water right is for the purpose of having sufficient water available to supply the domestic wells of homes located at the place described below and reflected on the attached map: NW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 9,

Describe place where water will be used; describe with

Township 13 North Range 26 East, M.D.M. (A.P.N. 14-601-19)

quarter section, section, township, range, M.D.M. and assessor's parcel numbers and parcel map

4. I understand that this withdrawal of all / a portion of 47013/13368 (cert)  
(circle one)

parcel number, certificate number or decree right must be approved by the Nevada State Engineer in order for this withdrawal to become effective and enforceable.

5. I understand this withdrawal shall become effective upon the date approved by the State Engineer. However, if a final subdivision or parcel map is not recorded in the office of the county recorder of the county wherein the land division is located within 18 months after the State Engineer's approval the base right holder may petition the State Engineer to void this withdrawal on the basis that all proceedings concerning the division of land have been terminated.

6. I understand once this water right or portion thereof is withdrawn based on the recordation of a final subdivision map recorded in the office of the county recorder of the county wherein the land division is located, as provided in NRS 278.380 (1993), or in the case of a final parcel map as provided in NRS 278.4725 (1993), the process cannot be reversed nor can I claim the water withdrawn as a water right.

7. Upon approval of this withdrawal by the State Engineer, I shall record this Affidavit of Withdrawal in the office of the county recorder of the county in which the final subdivision or parcel map is recorded. I shall also record this Affidavit of Withdrawal in the office of the county recorder of the county in which the old place of use was located, if it is not the same county.

8. I shall provide the State Engineer with a certified copy of the recorded Affidavit of Withdrawal within thirty (30) days of recording the Affidavit with the county recorder.

DATED: This 20th day of December, 2001.

William S. & Charlotte F.  
Rauber Trust

William S. Rauber, Trustee  
Affiant's signature

William S. RAUBER  
Affiant's printed name

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Mailing Address

---

Telephone number

Subscribed and sworn to before me

this 20th day December, 2001.

Cheryl Veil  
NOTARY PUBLIC



APPROVED: This 16<sup>th</sup> day of JANUARY, 2002

271212  
OFFICIAL RECORDS  
LYON COUNTY, NEV.  
RECORD REQUESTED BY

Sam T. Ross

02 JAN 22 AM 10:36

MARY C. MILLIGAN  
COUNTY RECORDER

Justice, P.L.  
State Engineer

SEAL AFFIXED